

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

NATHANIEL JENKINS,

Plaintiff,

v.

ACDA/EASY PARK,

Defendant.

Case No. 3:20-cv-00217-SLG

**ORDER RE PROPOSED FINDINGS OF FACT AND RECOMMENDATIONS
FOR THE DISPOSITION OF MOTIONS FOR SUMMARY JUDGMENTS**

On September 4, 2020, pro se Plaintiff Nathanael Jenkins filed a Complaint under 42 U.S.C. § 1983 and Alaska law against Defendant ACDA/Easy Park alleging he was unlawfully discriminated against and terminated from his employment at ACDA/Easy Park in retaliation for engaging in a protected activity, specifically, filing a harassment complaint against a co-worker.¹

The case was referred to the Honorable Magistrate Judge Kyle Reardon.² At Docket 41, Judge Reardon issued his *Proposed Findings of Fact and Recommendations for the Disposition of Motions for Summary Judgment*, in which he recommended that the Court grant Defendant's *Motion for Summary Judgment* at Docket 19, and that the Court deny Plaintiff's *Motion for Summary Judgment* at Docket 22. No objections to the report were filed.

¹ Dkt. 1.

² Dkt. 26.

The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1). That statute provides that a district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.”³ A court is to “make a de novo determination of those portions of the magistrate judge’s report or specified proposed findings or recommendations to which objection is made.”⁴ But as to those topics on which no objections are filed, “[n]either the Constitution nor [28 U.S.C. § 636(b)(1)] requires a district judge to review, de novo, findings and recommendations that the parties themselves accept as correct.”⁵

The Court has reviewed the *Proposed Findings of Fact and Recommendations for the Disposition of Motions for Summary Judgments* and agrees with its analysis. Accordingly, the Court adopts the report in its entirety, and IT IS ORDERED that Defendant’s *Motion for Summary Judgment* at Docket 19 is GRANTED and Plaintiff’s *Motion for Summary Judgment* at Docket 22 is DENIED. The Clerk of Court is directed to enter a final judgment consistent with this order.

DATED this 27th day of July, 2022, at Anchorage, Alaska.

/s/ Sharon L. Gleason
UNITED STATES DISTRICT JUDGE

³ 28 U.S.C. § 636(b)(1).

⁴ *Id.*

⁵ *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003); see also *Thomas v. Arn*, 474 U.S. 140, 150 (1985) (“It does not appear that Congress intended to require district court review of a magistrate’s factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to those findings.”).